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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.      | CONFIRMATION NO. |
|--|-------------|----------------------|--------------------------|------------------|
| 09/788,150   | 02/16/2001  | Rocky Stewart        | BEAS-01033us0<br>SRM/KFK | 4298             |
| 23910  | 7590        | 06/15/2006           | EXAMINER                 |                  |
| FLIESLER MEYER, LLP<br>FOUR EMBARCADERO CENTER<br>SUITE 400<br>SAN FRANCISCO, CA 94111 |             |                      | DUONG, OANH L            |                  |
|  |             |                      | ART UNIT                 | PAPER NUMBER     |
|  |             |                      | 2155                     |                  |

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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|---------------------------------|-------------|---|---------------------|

09-788-150

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| EXAMINER |
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| ART UNIT | PAPER |
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20060612

DATE MAILED:

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**Commissioner for Patents**

Applicant's representative agreed to file a Terminal disclaimer to overcome of possibility of nonstatutory obviousness-type double patenting over claims of U.S. Patent No. 7,051,072. A shortened statutory period for reply is set to expire 30 from the mailing date of this communication.

|   |                        |                     |  |
|---|------------------------|---------------------|--|
| <b>Examiner-Initiated Interview Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|   | 09/788,150             | STEWART ET AL.      |  |
|   | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|   | Oanh Duong             | 2155                |  |

**All Participants:**

(1) Oanh Duong.

(2) Karl Kanna (Registration No. 45,445).

**Status of Application:** \_\_\_\_\_

(3) \_\_\_\_\_.

(4) \_\_\_\_\_.

**Date of Interview:** 12 June 2006

**Time:** \_\_\_\_\_

**Type of Interview:**

- ☒ Telephonic  
☐ Video Conference  
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No  
 If Yes, provide a brief description: \_\_\_\_\_

**Part I.**

Rejection(s) discussed:

Claims discussed:

Prior art documents discussed:

**Part II.**

**SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:**

*Discussing the possibility of nonstatutory obviousness-type double patenting over U.S. Patent No. 7,051,072.*

**Part III.**

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.  
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

Philip Tran  
 PRIMARY EXAMINER  
 (Examiner/SPE Signature)

\_\_\_\_\_  
 (Applicant/Applicant's Representative Signature – if appropriate)